

## **REMARKS**

Claims 1-2 and 4-9 remain in the application. Applicant asserts that no new matter has been added. Reconsideration of the Application is hereby requested

### **Claim Rejections**

#### ***Rejections Under 35 U.S.C. § 103***

Claims 1, 2 and 4-9 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Douik (6,012,152) in view of Hiliger (5,127,012).

*Remarks regarding this rejection as applied to Claims 1, 2 and 4-5:*

The Action asserts that Douik discloses that the incident tracking application is “configured to associate a user incident report with a system incident report when the user incident report includes *a user-observed symptom that corresponds to one of the set of activated symptoms.*” (Emphasis added) Applicant respectfully traverses this assertion.

Critical to this limitation of Claim 1 is that the system associates a system incident report with a user incident report *based on a correlation of symptoms* in each report, rather than the time at which the two reports are received. When an asset failure is detected, the system activates a symptom (or symptoms) known to be associated with the failure of the asset and includes the activated symptoms in the system incident report. When a user incident report is received, it is correlated to a given system incident report *based on common symptoms*. This symptom correlation of reports improves the chances that the detected symptoms are correlated with a root cause failure of an asset, rather than a failure of a subsequently failing asset. Given

that complex computational systems often experience many levels of subsequent asset failures after a root cause failure, the system recited in Claim 1 improves the chances of discovering a root cause failure early.

Douik, on the other hand, discloses a system that correlates alarms and network user-originated trouble reports using a *time* correlation. [Douik, column 15, line 18] Once the time correlation of reports has occurred, then a correlation agent produces “a minimal set of suspect components” (presumably based on the detected symptoms) [Douik, column 15, lines 20-23] Thus, the system in Douik correlates alarms and user reports based on the time at which they were generated. There is no disclosure in Douik of any system that correlates user incident reports to system incident reports based on common symptoms.

Because of this, the system in Douik would not be effective in troubleshooting an asset failure in a complex computational system. This is because the failure of an asset that is the root cause of a symptom might be masked by the subsequent failure of another asset and it could be that the subsequent failure occurs at the same time that the user notices the symptom. Thus, a time-correlated system (such as the one disclosed in Douik) might match a user incident report to a subsequent failure of an asset that is not the root cause of the symptom being reported and that might not even be related to the root cause.

The invention recited in Claim 1, on the other hand, activates symptoms relating to asset failures when the asset failures occur and receives user incident reports (which could be generated well after the asset failure) independently of the asset failures. Correlation of an asset failure to a user incident report is based on the symptoms in the user incident report that have previously been activated. Because the technician is provided with an indication of suspect aspects based on a list of symptoms that are activated when asset failures are detected that are correlated with the symptoms that are experienced by the user, thereby providing the technician

with a better indication of which asset is the likely root cause of the failure.

The addition of Hiliger still does not teach or suggest this limitation. Hiliger discloses a diagnostic system in which “a repair person is presented with a list of observable symptoms for each of which there is a known cause or causes.” [Hiliger, column 3, lines 11-13] Then “the repair person selects the symptom from the list which best describes the situation.” [Hiliger, column 3, lines 22-23] Given that the system in Hiliger merely presents the repair person with a general list of symptoms from which the repair person selects the applicable symptom, there is no disclosure in Hiliger of activating symptoms as asset failures are detected and then correlating the activated symptoms with detected symptoms in user incident reports.

Thus, the limitation of associating “a user incident report with a system incident report when the user incident report includes a user-observed symptom that corresponds to one of the set of activated symptoms” is completely absent from both Douik and Hiliger. Therefore, the invention of Claim 1 would not have been obvious at the time the invention was made over these references. For this reason, Applicant believes that this rejection has been overcome and respectfully requests that Claim 1 (and all claims depending therefrom) be allowed.

*Remarks regarding this rejection as applied to Claims 6-9:*

Claim 6 recites the limitations of:

“upon detecting a failure of an asset, activating at least one pre-identified symptom associated with the failed asset ... thereby generating a activated symptom list”;

“receiving a user incident report ... including at least one user-observed symptom”; and

“associating the user-observed symptom with an activated pre-identified symptom from the activated symptom list” in the diagnostic database....”

As discussed above, with respect to Claim 1, neither Douik nor Hiliger teach or suggest, either alone or in combination, a system that activates a symptom upon detecting a failure and that then associates the activated symptom with a user-observed symptom. For this reason, it is believed that this rejection has been overcome and respectfully requests that Claim 6 (and all claims depending therefrom) be allowed.

### **CONCLUSION**

Applicant believes that the rejections have been overcome for the reasons recited above. Therefore, Applicant respectfully requests that all remaining claims be allowed and that a timely Notice of Allowance be issued.

No addition fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees that may be required, including any necessary extensions of time, which are hereby requested, to Deposit Account No. 09-0461.

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Date



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